

**Enrolled Minutes of the Forty-Eighth Regular Meeting
Of the Twenty-Sixth Highland Town Council
Tuesday, December 29, 2009**

Study Session. The Twenty-Sixth Town Council of the Town of Highland, Lake County, Indiana met in a study session preceding the regular meeting on **Tuesday, December 29, 2009** at 6:30 p.m. in the regular place, the upper meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

Silent Roll Call: Councilors Bernie Zemen, Mark Herak, Dan Vassar, Brian Novak, and Konnie Kuiper were present. The Clerk-Treasurer, Michael W. Griffin, was present to memorialize the proceedings. A quorum was attained.

General Substance of Matters Discussed.

1. The Town Council discussed the agenda of the imminent meeting.
2. The Town Council discussed the distinction between a peddler, solicitor and transient merchants as set forth in our business peddler's ordinance.
3. The Town Council discussed the matter regarding the renewal and extension of the current ambulance emergency services contract. Councilor Herak expressed his concern at taking the matter up without added discussion.

The study session ended at 7:02 p.m.

Regular Meeting. The Twenty-Sixth Town Council of the Town of Highland, Lake County, Indiana met in its regular session on Tuesday, December 29, 2009 at 7:03 p.m. in the regular place, the plenary meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

The Town Council President Dan Vassar presided. The session was opened with Council President Dan Vassar leading the pledge of allegiance to the United States Flag and offering the opening prayer.

Roll Call: Councilors Bernie Zemen, Mark Herak, Dan Vassar, Brian Novak, and Konnie Kuiper were present. The Clerk-Treasurer, Michael W. Griffin, was present to memorialize the proceedings. A quorum was attained.

Additional Officers Present: Rhett L. Tauber, Town Council Attorney; John M. Bach, Public Works Director; Peter T. Hojnicky, Metropolitan Police Chief; and William R. Timmer, CFOD, Fire Chief were present.

Also present were Danny Stombaugh of the Town Board of Metropolitan Police Commissioners and Ed Dabrowski of the Park and Recreation Board were also present.

Minutes of the Previous Session

The minutes of the regular meeting of December 14, 2009 were approved by general consent.

Unfinished Business and General Orders:

1. **Proposed Ordinance No. 1447.1375-L:** An Ordinance to Amend the Wage and Salary Ordinance to permit a duly selected or promoted successor employee may be paid at the new position's pay rate even when the position is still occupied by a departing

incumbent employee for the purposes of training by the incumbent employee, for a period not to exceed 30 days in the Public Works Department.

Councilor Zemen introduced and moved the consideration of Ordinance No. 1447.1375-L at the same meeting of introduction. Councilor Novak seconded. Upon a roll call vote, a unanimous vote being needed, there were five affirmatives and no negatives. The motion passed. The ordinance could be considered.

Councilor Zemen moved the passage and adoption of Ordinance No. 1447.1375-L at the same meeting of introduction. Councilor Novak seconded. Upon a roll call vote, a two-thirds vote being needed, there were five affirmatives and no negatives. The motion passed. The ordinance was adopted.

**ORDINANCE No. 1447.1375-L
of the
TOWN of HIGHLAND, INDIANA**

AN ORDINANCE to AMEND the ORDINANCE ADOPTED TO ESTABLISH THE WAGE and SALARY RATES of the ELECTED OFFICERS, the NON-ELECTED OFFICERS, and the EMPLOYEES of the TOWN of HIGHLAND, INDIANA.

WHEREAS, Title 36, Article 1 Chapter 4 of the Indiana Code confers certain general corporate powers on the several units of government in Indiana;

WHEREAS, Section fifteen of that chapter specifically provides that a unit of government may fix the level of compensation of its officers and employees; and

WHEREAS, I.C. 36-5-3-2 further provides in pertinent part that the town legislative body shall provide reasonable compensation for the other town officers and employees;

WHEREAS, I.C. 36-5-3-2(b), still further provides that the Town Legislative body shall, by ordinance fix the compensation of its own members and the Town Clerk-Treasurer;

WHEREAS, I.C. 36-5-3-2(c) still further provides that the compensation of an elected town officer may not be changed in the year for which it is fixed, nor may it be reduced below the amount fixed for the previous year;

WHEREAS, The Town Council of the Town of Highland, as the town legislative body, previously acted to fix the compensation of its elected officers, appointed officers and employees of the Town for the year ensuing, by passage and adoption of Ordinance No. 1375;

WHEREAS, The Town Council of the Town of Highland has been advised that modification to certain provisions of Ordinance No. 1375, as amended, would be desirable;

WHEREAS, The Town Council of the Town of Highland, as the town legislative body, now desires to further modify and fix the compensation of its elected officers, appointed officers and employees of the Town for the year and to further perfect the wage and salary ordinance,

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Town Council of the Town of Highland, Lake County, Indiana, that the Wages, Salaries, and special detail levels of the Officers and Employees of the Town of Highland, are hereby established and fixed, pursuant to the provisions indicated herein as follows:

Provision 1. That Section 9 of Ordinance No. 1375 as amended, be repealed in its entirety and replaced with a new section which shall be identified as Section 9 which shall read as follows:

Section 9. That subject to the provisions of this ordinance, the salary and wages for the non-elected officers and employees of the Town of Highland are hereby fixed for its **Public Works Department** as follows:

(a) Supervisory Employees		Starting Rate	Incumbent Rate
Public Works Director	(1)		
With an employer provided vehicle:			\$ 2,675.13 bi-weekly
Without an employer provider vehicle:			\$ 2,809.34 bi-weekly
General Supervisor	(1)		\$2,231.93 bi-weekly
Supervisor Streets	(1)		\$1,886.20 bi-weekly
Supervisor Water & Sewer	(1)		\$1,886.20 bi-weekly
Supervisor Maintenance	(1)		\$1,886.20 bi-weekly

Supervisor Facilities (1) \$1,886.20 bi-weekly

(b) Associate Staff and Employees

		Starting Rate	Incumbent Rate
Public Works Secretary	(1)	\$14.78	\$17.80 per hr.
Dispatch Clerk	(1)	\$13.20	\$13.20 per hr.
Senior Mechanic	(1)	\$18.30	\$18.30 per hr.
Senior Utility Technician	(1)	\$18.25**	\$18.25** per hr.
Utility Technician	(2)	\$14.86	\$14.86 per hr.
This base rate shall be modified as follows:			
w/ Commercial Drivers License add		\$ 0.50	\$ 0.50 per hr.
w/DSL Operators' License add		\$ 1.01	\$ 1.01 per hr.
Utility Worker /Equipment Operator	(2)	\$18.25**	\$18.25 per hr.
Utility Worker /Equipment Operator	(2)	\$18.25 **	\$19.25 per hr.
Pump Station Operator	(2)	\$15.70	\$15.70 per hr.
This base rate shall be modified as follows:			
w/ Commercial Drivers License add		\$00.50	\$00.50 per hr.
w/DSL Operators' License add		\$ 1.01	\$ 1.01 per hr.
w/ CT Operators' License add		\$00.25	\$00.25 per hr.
w/ Backflow prevention license		\$00.25	\$00.25 per hr.
Street Sweeper Operator	(2)	\$16.38	\$16.38 per hr.
Utility Worker/Driver A	(3)	\$17.72	\$17.72 per hr.
Utility Worker/Driver B	(3)	\$15.19	\$15.19 per hr.
Utility Worker/Driver C	(3)	\$12.84	\$12.84 per hr.
Mechanic	(1)***	\$16.63	\$16.63 per hr.
Mechanic	(2)	\$16.63	\$16.63-\$17.89 per hr.

*** Once a worker is assigned the **Senior Mechanic's** position, the authorization for this position is reduced to zero (0).

Sign & Traffic Control Technician	(1)	\$15.36	\$15.36 per hr.
w/ Commercial Drivers License add		\$ 0.50	\$ 0.50 per hr.
w/MUTCD* Certification add		\$ 1.01	\$ 1.01 per hr.

*Satisfactory completion of training course on the Manual of Uniform Traffic Control Devices as provided by the American Public Works Association (APWA), Local Technical Assistance Program (LTAP), the American Traffic Safety Services Association (ATSSA) or the International Municipal Sign Association (ISMA).

Utility Worker A	(3)	\$13.41	\$13.41-\$14.61 per hr.
Utility Worker B	(3)	\$10.36	\$10.36-\$12.78 per hr.
Custodian	(1)	\$12.42	\$12.42 per hr.
Attendant Town Garage	(1)	\$11.55	\$12.08 per hr.

Secretary (part-time)		\$ 7.25-\$12.50 per hr.
Laborer (<i>not truck driver</i>)(part-time)		\$ 7.25-\$ 11.64 per hr.
Master Gardener/Streetscaping (part-time)		\$12.00 - \$ 14.00 per hr.

** (c) Starting rate effected by the following provisions:

- (1) **For the position of Senior Utility Technician (SUT)**, vacancies shall be posted at **\$18.25** per hour. Rate shall be adjusted upward and remain equal to, but not exceeding, the lowest paid UW/EO at the time that the lowest paid UW/EO receives any rate increases.
- (2) **For the positions of Utility Worker/Equip Op (UW/EO)**, if top (senior) UW/EO departs, the incumbent wage and starting wage for UW/EO shall be the average of all four UW/EO wages, which at the time of adoption would be **\$18.75** per hour.

(d) Additional provisions.

For any position described in subsections (b) through (c), a duly selected or promoted successor employee may be paid at the new position's pay rate even when the position is still occupied by a departing incumbent employee for the purposes of training by the incumbent employee. The foregoing training pay arrangement may not be for a period of longer than thirty (30) days.

(e) Additional special provision.

Subsection (d) notwithstanding, for the position of Dispatch Clerk, when the incumbent in the position as of the date of the adoption of this ordinance has scheduled retirement for February 12, 2010 but will initiate paid time off (last day worked) beginning on January 8, 2010, and an offer has been made to and accepted by a successor employee to begin

January 4, 2010, therefore the customary thirty days needed for training is not practicable; further, the department faces a hardship if the staffing for this post is delayed or made subject to the provisions of subdivision (d), the provisions of subdivision (e) shall apply. In such a case, a duly selected or promoted successor employee may be paid at the new position's pay rate even when the position is still occupied by a departing incumbent employee or the departing incumbent employee is receiving paid time off, for the purposes of convenience and continuity in service. The foregoing pay arrangement may not be for a period of longer than forty-five (45) days. **Subdivision (e) expires and is no longer of any force or effect after February 20, 2010.**

Provision 2. That all portions of ordinances in conflict with this ordinance are hereby repealed and are of no further force nor effect;

Provision 3. (A) That an emergency exists for the immediate taking affect of this Ordinance, which, subject to the provisions of this ordinance, shall become effective and shall remain in full force and effect from the date of its adoption and thereafter, pursuant to any effective dates herein described and until its repeal or amendment by subsequent enactment;

(B) That the Clerk-Treasurer shall have authority to implement within a reasonable time those provisions regarding wage changes in this ordinance.

Introduced and Filed on the 29th day of December 2009. Consideration on same day or at same meeting of introduction experienced a vote of 5 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED and ADOPTED this 29th Day of December 2009 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Dan Vassar, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA
Clerk-Treasurer (IC 33-16-4-1;IC 36-5-6-5)

2. Proposed Ordinance No. 1448.1341-A: An Ordinance to Amend Sections of Chapter Fifty-One of the Highland Municipal Code, Particularly Amending Law Enforcement Processing Service Charges, Pursuant to IC 36-1-3 et seq. and other relevant Statutes.

Councilor Novak introduced and moved the consideration of Ordinance No. 1448.1341-A at the same meeting of introduction. Councilor Kuiper seconded. Upon a roll call vote, a unanimous vote being needed, there were five affirmatives and no negatives. The motion passed. The ordinance could be considered.

Councilor Novak moved the passage and adoption of Ordinance No. 1448.1341-A at the same meeting of introduction. Councilor Kuiper seconded. Upon a roll call vote, a two-thirds vote being needed, there were five affirmatives and no negatives. The motion passed. The ordinance was adopted.

**ORDINANCE NO. 1448.1431-A
of the
TOWN of HIGHLAND, INDIANA**

AN ORDINANCE to AMEND SECTIONS OF CHAPTER FIFTY-ONE of the HIGHLAND MUNICIPAL CODE, PARTICULARLY AMENDING LAW ENFORCEMENT PROCESSING SERVICE CHARGES, PURSUANT TO IC 36-1-3 ET SEQ. AND OTHER RELEVANT STATUTES.

WHEREAS, IC 36-1-3-2 and IC 36-1-3-6(b)(1) confer upon all local units the powers that they need for the effective operation of government as to local affairs and prescribe the manner and form of enactment for any such exercise of power;

WHEREAS, IC 36-1-3-8(6) further provides that a unit does not have power to impose a service charge or user fee greater than that reasonably related to reasonable and just rates and charges for services ;and

WHEREAS, The Metropolitan Police Department of Highland from time to time performs certain services, unrelated to the course of a lawful arrest or criminal processing, including but not limited to services such as immigration processing fingerprinting, elective protective fingerprinting of minor children for parents or employment processing fingerprinting, as well as limited *background checks*; and

WHEREAS, The Metropolitan Police Department of Highland from time to time performs certain services, related to the course of a lawful arrest or criminal processing, particularly related to bondable offenses, but for which added time and paperwork ensue and some convenience is provided in permitting avoidance of incarceration at the County Jail; and

Whereas, The Town Board of Metropolitan Police Commissioners has advised the legislative body that a change of the several service charges, established in part to recover costs occasioned by the municipality in the performance of these services, with such charges to be receipted and paid to the municipal treasury, would be desirable in the administration of the municipality and of benefit to the public;

Whereas, The Town Council believes that such fees either being changed or established for first time, all established in part to recover costs occasioned by the municipality in the performance of these services, would be necessary or desirable in the administration of the municipality and of benefit to the public;

NOW, THEREFORE, BE IT HEREBY ORDAINED BY the Town Council of the Town of Highland, Lake County, Indiana, as follows:

Section 1. That the Highland Municipal Code be amended by repealing the subchapter comprised of sections §51.56 through §51.58 in their entirety and replacing them with new subchapters and sections, to be numbered as sections §51.56 through §51.58, which shall read as follows:

§ 51.56 LAW ENFORCEMENT PROCESSING and RELEASE FEE

(A) In order to support the added administration and additional paperwork, as well as the convenience provided associated with processing the receipt of cash or surety bonds connected with a charge or offense for which the posting of a bond in lieu of incarceration is a lawful option, there is hereby authorized and established a special user fee to be known as *Law Enforcement Processing and Release Fee*.

(B) The *Law Enforcement Processing and Release Fee* hereinafter identified may be collected by the Highland Metropolitan Police Department in each instance of providing additional processing and release services for persons charged with an offense for which the posting of a bond in lieu of incarceration is a lawful option. The fee shall be charged at the same time the bond is collected, **except as provided in subdivision (C).**

(C) **The *Law Enforcement Processing and Release Fee* shall not be charged or collected in the following instances:**

1. **Incidents involving a charge of driving while suspended as an infraction;**
2. **Incidents involving any charge or arrest in which the party arrested or charged is transported to the hospital immediately following the charge(s) or arrest;**

§ 51.57 SCHEDULE OF CHARGES AND FEES

The service charges as set forth and contained in the following Schedule of Charges are hereby deemed to be reasonable and just rates and charges reasonably related to the administration of the services covered, and said Schedule is hereby authorized and approved:

Schedule of Charges

Except as may be otherwise provided, the users of services administered and provided will be charged a standard service charge based upon the list herein provided.

Service Charges:

Law Enforcement Processing and Release Fee	\$25.00
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§ 51.58 CHARGES AND FEES DEPOSIT PROTOCOL.

(A) All charges and amounts remitted to the Metropolitan Police Department pursuant to this subchapter shall be deposited with the Office of the Clerk-Treasurer and credited to the general fund of the municipality upon its receipt.

(B) The Metropolitan Police Department shall not charge or collect any fee or amount for a service performed under this subchapter that is not authorized or not deposited with the municipality, according to the terms herein provided.

Section 2 That should a court find any provision of this ordinance to be unlawful or unenforceable, those provisions not so found shall continue to be in full force and effect;

Section 3 Whereas an emergency exists for the immediate taking effect of this Ordinance, it shall become and be in full force and effect from and after the date of its passage and adoption evidenced by the executive's signature in the manner prescribed by IC 36-5-2-10(a).

Introduced and Filed on the 29th day of December 2009. Consideration on same evening of introduction attained a vote of 5 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED AND ADOPTED this 29th Day of December 2009, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Dan Vassar, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

3. **Works Board Order No. 2009-48:** An Order of the Works Board Approving and Authorizing An agreement between Idea Factory, and the Town of Highland to perform Communications Media Design, composition and related professional services in support Thereof.

Councilor Kuiper moved the passage and adoption of Works Board Order No. 2009-48. Councilor Zemen seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

**THE TOWN OF HIGHLAND
BOARD OF WORKS
Order of the Works Board No. 2009-48**

AN ORDER AUTHORIZING AND APPROVING AN AGREEMENT BETWEEN THE IDEA FACTORY AND THE TOWN OF HIGHLAND TO PERFORM PROFESSIONAL COMMUNICATIONS AND MEDIA DESIGN AND DEVELOPMENT SERVICES FOR THE MUNICIPALITY

Whereas, The Town of Highland, through its Town Council, which is the Works Board of the Municipality has heretofore determined that a need exists to provide greater information to the public regarding the operations and services of the municipality;

Whereas, The Town has heretofore determined that a need exists to engage professional communications and media design and development services to assist and support the provision of greater information to the public regarding the operations and services of the municipality;

Whereas, Robin A. Carlascio and Theresa K. Badovich, d.b.a The Idea Factory, a media development and design, communication consulting alliance, has proposed to provide professional editorial services to assist and support the provision of greater information to the public regarding the operations and services of the municipality through the development and promulgation of a municipal newsletter;

Whereas, As purchasing agency, the Town Council may purchase services using any procedure it considers appropriate, pursuant to IC 5-22-6-1; and

Whereas, The Highland Municipal Code provides that, the Town Council may make all contracts for professional services on the basis of competence and qualifications for the type of services to be performed, and negotiate compensation that the public agency determines to be reasonable, pursuant to Section §31.62; and

Whereas, There are now or will soon be sufficient and available appropriations balances on hand to support the payments for these services under the agreement, pursuant to IC 5-22-17-3(e); and

Whereas, The Town of Highland, through its Town Council acting as the Works Board now desires to accept and approve the agreement for services as herein described.

Now Therefore be it Ordered by the Town Council of the Town of Highland, Lake County, Indiana;

Section 1. That the agreement (incorporated by reference and made a part of this Order) between **Robin A. Carlascio** and **Theresa K. Badovich** doing business as the **Idea Factory**, and the Town of Highland, provide professional editorial services to assist and support the provision of greater information to the public regarding the operations and services of the municipality through the development and promulgation of a municipal newsletter for the period beginning **1 January 2010 through to 31 December 2010** as described herein is hereby approved, adopted and ratified in each and every respect;

Section 2. That the charges under the agreement for the services, in the amount of **\$1,500 per issue**, which include publishing and coordinate a monthly newsletter to be distributed as an insert in the monthly utility invoice, and other related services are found to be reasonable and fair, all pursuant to IC 5-22-6-1 and Section § 31.62 of the municipal code;

Section 3. That the charges under the terms of the agreement for all the services, will be paid to *The Idea Factory*, after presentation of an invoice for services, following their delivery;

Section 4. That the Town Council President be authorized to execute this agreement under the terms of this order with his signature as attested thereto by the Clerk-Treasurer.

Be it so Ordered.

DULY, PASSED, ADOPTED and ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 29th day of December 2009 having passed by a vote of 5 in favor and 0 opposed.

**WORKS BOARD of the TOWN of
HIGHLAND, INDIANA**

Dan Vassar, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, **IAMC/MMC/CPFA**
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

AGREEMENT

This Agreement made and entered into this 29th day of December, 2010, by and between the **TOWN OF HIGHLAND, BY AND THROUGH ITS TOWN COUNCIL** (hereinafter referred to as the "Town"), and **ROBIN CARLASCIO and THERESA BADOVICH d/b/a THE IDEA FACTORY** (hereinafter referred to as "Idea Factory").

WITNESSETH THAT:

WHEREAS, the Town is interested engaging the services of Idea Factory for publishing and coordinating a monthly newsletter (Gazebo Express) to be distributed throughout the Town; and

WHEREAS, Idea Factory is interested in entering into such an agreement and engaging its services to publish and coordinate a monthly newsletter within the Town; and

WHEREAS, the parties wish to reduce their agreement to writing;

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, it is agreed as follows:

1. Idea Factory agrees to publish and coordinate a monthly newsletter (Gazebo Express) to be distributed in the Town of Highland.
2. The term of this Agreement shall be for one (1) year beginning January 1, 2010, through December 31, 2010. This Agreement may be renewed by the Town of Highland from year to year based upon approval of the renewal term by the Town at the beginning of each fiscal year.
3. Idea Factory shall be paid for its services rendered pursuant to this Agreement, the sum of \$1,500.00 per issue and the monthly fees shall be payable to The Idea Factory at 2733 – 40th Street, Highland, IN 46322.
4. This Agreement may be cancelled by either party upon such party providing the other party thirty (30) days written notice.
5. In the event the Town's appropriations are insufficient to pay the expenses of this Agreement, and upon thirty (30) days written notice being given by the Town to Idea Factory, this Agreement shall become null and void.
6. This Agreement shall be governed by the laws of the State of Indiana and shall be binding upon the parties' heirs, legal representatives, successors, and assigns.

IN WITNESS WHEREOF, this Agreement has been entered into between the parties this 29th day of December, 2010.

TOWN OF HIGHLAND

THE IDEA FACTORY

By: _____
Dan Vassar, President

Robin Carlascio

Attest: _____
Michael W. Griffin, Clerk-Treasurer

Theresa Badovich

4. **Works Board Order No. 2009-49: AN ORDER OF the WORKS BOARD APPROVING AND AUTHORIZING THE EXTENSION OF AN AGREEMENT FOR PROMPT**

MEDICAL TRANSPORTATION, INC., SERVICE CONTRACT. *(The agreement is a no fee contract and is undertaken jointly with Town of Munster.)*

Councilor Herak moved to delay the matter. Councilor Novak seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. Consideration of the matter was delayed.

5. **Works Board Order No. 2009-50:** An Order Adopting and Approving An Agreement Between the State of Indiana through its Department of Transportation and the Town of Highland, Through its Town Council/Works Board for Project Coordination, for the Intersection and turn-lanes improvement of Cline Avenue from Ridge Road to 45th Avenue.

Councilor Zemen moved the passage and adoption of Works Board Order No. 2009-50. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

TOWN of HIGHLAND
BOARD OF WORKS
ORDER OF THE WORKS BOARD NO. 2009-50

AN ORDER ADOPTING AND APPROVING AN AGREEMENT BETWEEN THE STATE OF INDIANA THROUGH ITS DEPARTMENT OF TRANSPORTATION AND THE TOWN OF HIGHLAND, THROUGH ITS TOWN COUNCIL/WORKS BOARD FOR PROJECT COORDINATION, FOR THE INTERSECTION AND OTHER IMPROVEMENT OF CLINE AVENUE FROM RIDGE ROAD TO 45TH AVENUE.

WHEREAS, The Town Council of the Town of Highland serves as the Works Board of the Town, pursuant to IC 36-1-2-24(3);and

WHEREAS, The Town of Highland is a unit, which may establish, vacate, maintain and operate public ways, all pursuant to I.C. 36-9-2-5

WHEREAS, The Public Works Director, pursuant to his powers and duties as set forth in Section §33.43 of the Highland Municipal Code, manages and has charge of the Street Department, and has recommended that the Town Council adopt an Agreement with the Indiana Department of Transportation to support the Federal source funding of a certain resurfacing project; and

WHEREAS, The Town Council has reviewed the agreement as recommended by the Public Works Director and now wishes to authorize the project and adopt the agreement;

NOW, THEREFORE, BE Ordered, by the Town Council of Highland, Indiana, acting as the Works Board:

Section 1. That the intersection Improvement and added turn lanes Project of Cline Avenue from Ridge Road to 45th Avenue, is hereby authorized and approved;

Section 2. That the agreement entitled *Indiana Department of Transportation Local Public Agency Project Coordination Contract*, EDS # A249-10-320720 Des. No. 0400711, a copy of which is incorporated as an exhibit to this order, is hereby authorized and approved;

Section 3. That the Town Council President is hereby authorized and instructed evidence approval of the agreement by affixing his signature as attested thereto by the Clerk-Treasurer, and affix his signature to such other documents as are necessary to support the execution of the agreement;

Be it So Ordered.

DULY, PASSED and ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 29th day of December 2009 having passed by a vote of 5 in favor and 0 opposed.

TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA

Dan Vassar, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA
Clerk-Treasurer (IC 33-16-4-1;IC 36-5-6-5)

6. **Works Board Order No. 2009-51:** An Order Acknowledging The 45th Avenue Resurfacing Project supported by American Recovery and Reinvestment Act (ARRA) Funding for the resurfacing of 45th Avenue from Kennedy Avenue to Kleinman Road, and Authorizing and Approving An agreement between First Group, Incorporated and the Town of Highland to perform Construction Engineering and Professional services in support of thereof.

Councilor Novak moved the passage and adoption of Works Board Order No. 2009-51. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

THE TOWN OF HIGHLAND
BOARD OF WORKS
Order of the Works Board No. 2009-51

AN ORDER ACKNOWLEDGING THE 45TH AVENUE RESURFACING PROJECT SUPPORTED BY AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA) FUNDING FOR THE RESURFACING OF 45TH AVENUE FROM KENNEDY AVENUE TO KLEINMAN ROAD, AND AUTHORIZING AND APPROVING AN AGREEMENT BETWEEN FIRST GROUP, INCORPORATED AND THE TOWN OF HIGHLAND TO PERFORM CONSTRUCTION ENGINEERING AND PROFESSIONAL SERVICES IN SUPPORT OF THEREOF

Whereas, The Town of Highland, through its Town Council, which is the Works Board of the Municipality has heretofore determined that a need exists to resurface a section of 45th Avenue between Kennedy Avenue and Kleinman Road, evidenced by the adoption of Works Board Order No. 2009-43 adopting an Local Participating Agreement with the Indiana Department of Transportation on 14 December 2009, which was necessary to access the Federal Highway Funding resources related to this project, particularly *American Reinvestment and Recovery Act* (ARRA) Funding;

Whereas, The Town has heretofore determined that a need exists to engage professional construction engineering services associated with the Project in order to advance and implement the construction process associated with the Project; and

Whereas, First Group Engineering, Incorporated, (Consultant) has offered and presented an agreement to provide and furnish construction engineering and professional services detailed and specifically described in part as review of construction schedule for contract compliance, attend pre-construction conferences, serve as LPA Liaison with contractor, obtain field samples of materials, receive and review shop drawings, conduct inspections of contractors' work, related tasks outlined in the agreement in consideration for fees to be charged and billed monthly based upon a lump sum of the value of the services completed, in a total amount not to exceed *thirty-four thousand, one hundred ninety-five dollars and thirty-three cents (\$34,195.33)*; and

Whereas, There are sufficient and available appropriations balances on hand to support the payments under the agreement, pursuant to IC 5-22-17-3(e); and

Whereas, There are expected to be sufficient and available appropriations balances on hand to support the payments under the agreement in future years pursuant to IC 5-22-17-3(e) and I.C. 5-16-11.1-5, subject to the laws governing same; and,

Whereas, The Town of Highland, through its Town Council acting as the Works Board now desires to accept and approve the agreement for services as herein described.

Now Therefore be it Ordered by the Town Council of the Town of Highland, Lake County, Indiana;

Section 1. That the Professional Engineering Agreement (incorporated by reference and made a part of this Order) between First Group Engineering, Incorporated, and the Town of Highland, for the **45th Avenue Resurfacing Project Des. No. 0900661**, between Kennedy Avenue and Kleinman Road, is hereby approved, adopted and ratified in each and every respect;

Section 2. That the terms and charges under the agreement and specifically described *in part* as review of construction schedule for contract compliance, attend pre-construction conferences, serve as LPA Liaison with contractor, obtain field samples of materials, receive and review shop drawings, conduct inspections of contractors' work, related tasks outlined in the agreement in consideration for fees to be charged and billed monthly based upon a lump sum of the value of the services completed, in a total amount not to exceed *thirty-four thousand, one hundred ninety-five dollars and thirty-three cents (\$34,195.33)* are found to be reasonable and fair;

Section 3. That the Town of Highland, through its Town Council, believes that First Group Engineering, Incorporated has demonstrated professional competence and qualifications to perform the particular professional engineering services called for in the Agreement and associated Federal Aid project, pursuant to I.C. 5-16-11.1-5 and Section § 31.64 of the Highland Municipal Code;

Section 4. That the Town Council President as well as the members of the Town Council are hereby authorized to execute the Agreement with their signatures as attested thereto by the Clerk-Treasurer, and approved as to legality and form by the Town Council Attorney.

Be it so Ordered.

DULY, PASSED, ADOPTED and ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 29th day of December 2009 having passed by a vote of 5 in favor and 0 opposed.

**WORKS BOARD of the TOWN of
HIGHLAND, INDIANA**

Dan Vassar, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, **IAMC/MMC/CFPA**
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

7. **Works Board Order No. 2009-52:** An Order Acknowledging The 45th Avenue Resurfacing Project for the improvement of Cline Avenue from Ridge Road to 45th Avenue, and Authorizing and Approving An agreement between First Group, Incorporated and the Town of Highland to perform Construction Engineering and Professional services in support of thereof.

Councilor Zemen moved the passage and adoption of Works Board Order No. 2009-52. Councilor Novak seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

**THE TOWN OF HIGHLAND
BOARD OF WORKS
Order of the Works Board No. 2009-52**

AN ORDER ACKNOWLEDGING THE CLINE AVENUE IMPROVEMENT PROJECT FOR THE INTERSECTION IMPROVEMENT AND TURN LANE ADDITIONSON CLINE AVENUE FROM RIDGE ROAD TO 45TH AVENUE, AND AUTHORIZING AND APPROVING AN AGREEMENT BETWEEN FIRST GROUP, INCORPORATED AND THE TOWN OF HIGHLAND TO PERFORM CONSTRUCTION ENGINEERING AND PROFESSIONAL SERVICES IN SUPPORT OF THEREOF

Whereas, The Town of Highland, through its Town Council, which is the Works Board of the Municipality has heretofore determined that a need exists to improve a section of Cline Avenue between Ridge Road and 45th Avenue, evidenced by the adoption of Works Board Order No. 2009-50 adopting an Local Participating Agreement with the Indiana Department of Transportation on 29 December 2009, which was necessary to access the Federal Highway Funding resources related to this project;

Whereas, The Town has heretofore determined that a need exists to engage professional construction engineering services associated with the Project in order to advance and implement the construction process associated with the Project; and

Whereas, First Group Engineering, Incorporated, (Consultant) has offered and presented an agreement to provide and furnish construction engineering and professional services detailed and specifically described in part as review of construction schedule for contract compliance, attend pre-construction conferences, serve as LPA Liaison with contractor, obtain field samples of materials, receive and review shop drawings, conduct inspections of contractors' work, related tasks outlined in the agreement in consideration for fees to be charged and billed monthly based upon a lump sum of the value of the services completed, in a total amount not to exceed *five hundred seventy-nine thousand, six hundred sixty-eight dollars and thirty-five cents (\$579,668.35)*; and

Whereas, There are sufficient and available appropriations balances on hand to support the payments under the agreement, pursuant to IC 5-22-17-3(e); and

Whereas, There are expected to be sufficient and available appropriations balances on hand to support the payments under the agreement in future years pursuant to IC 5-22-17-3(e) and I.C. 5-16-11.1-5, subject to the laws governing same; and,

Whereas, The Town of Highland, through its Town Council acting as the Works Board now desires to accept and approve the agreement for services as herein described.

Now Therefore be it Ordered by the Town Council of the Town of Highland, Lake County, Indiana;

Section 1. That the Professional Engineering Agreement (incorporated by reference and made a part of this Order) between First Group Engineering, Incorporated, and the Town of Highland, for the **Cline Avenue**

Improvement Project Des. No. 0400711, between Ridge Road and 45th Avenue, is hereby approved, adopted and ratified in each and every respect;

Section 2. That the terms and charges under the agreement and specifically described *in part* as review of construction schedule for contract compliance, attend pre-construction conferences, serve as LPA Liaison with contractor, obtain field samples of materials, receive and review shop drawings, conduct inspections of contractors' work, related tasks outlined in the agreement in consideration for fees to be charged and billed monthly based upon a lump sum of the value of the services completed, in a total amount not to exceed *five hundred seventy-nine thousand, six hundred sixty-eight dollars and thirty-five cents (\$579,668.35)*; are found to be reasonable and fair;

Section 3. That the Town of Highland, through its Town Council, believes that First Group Engineering, Incorporated has demonstrated professional competence and qualifications to perform the particular professional engineering services called for in the Agreement and associated Federal Aid project, pursuant to *I.C. 5-16-11.1-5 and Section § 31.64 of the Highland Municipal Code*;

Section 4. That the Town Council President as well as the members of the Town Council are hereby authorized to execute the Agreement with their signatures as attested thereto by the Clerk-Treasurer, and approved as to legality and form by the Town Council Attorney.

Be it so Ordered.

DULY, PASSED, ADOPTED and ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 29th day of December 2009 having passed by a vote of 5 in favor and 0 opposed.

**WORKS BOARD of the TOWN of
HIGHLAND, INDIANA**

Dan Vassar, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, **IAMC/MMC/CFPA**
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

8. **Resolution No. 2009-65:** An Exigent Resolution Providing for the Transfer of Appropriation Balances from and among Major Budget Classifications in the **Metropolitan Police Department of the Corporation General Fund** as Requested by the Department Head or Proper Officer and Forwarded to the Town Council for its action pursuant to IC 6-1.1-18-6.

Councilor Novak moved the passage and adoption of Resolution No. 2009-65. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

**TOWN OF HIGHLAND
APPROPRIATION TRANSFER RESOLUTION
RESOLUTION NO. 2009-65**

AN EXIGENT RESOLUTION PROVIDING for the TRANSFER of APPROPRIATION BALANCES from and AMONG MAJOR BUDGET CLASSIFICATIONS in the METROPOLITAN POLICE DEPARTMENT of the CORPORATION GENERAL FUND as REQUESTED BY THE PROPER OFFICER AND FORWARDED to the TOWN COUNCIL for its ACTION PURSUANT TO IC 6-1.1-18-6.

WHEREAS, It has been determined that certain exigent conditions have developed since adoption of the original budget and it is now necessary to transfer certain appropriations into different categories than were initially appropriated for the various functions of the **Metropolitan Police Department of the Corporation General Fund**;

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Highland, Lake County, Indiana as follows:

Section 1. That for the expenses of said municipality, the following appropriations are hereby transferred and set apart out of the funds hereinafter named for the purposes specified, subject to the laws governing the same, such sums herein transferred unless otherwise stipulated by law;

Section 2. That it has been shown that certain existing unobligated appropriations of the **Metropolitan Police Department of the Corporation General Fund** which are not needed at this time for the purposes for which originally appropriated, and may be transferred to a category of appropriation in order to satisfy an existing need, as follows:

CORPORATION GENERAL FUND

Metropolitan Police Department

Reduce Account:	#111.06 Part-time Records	\$ 1,600.00
	#111.15 Mechanics wages	\$ 1,800.00
	#111.19 Sergeants wages	\$ 2,098.00
#111.21 Patrol Officers wages		\$ 3,800.00
	#111.25 Animal Warden wages	<u>\$ 3,400.00</u>
	<i>Total 100 Series Reductions</i>	\$12,698.00
Increase Account:	#220.04 Equipment Parts	<u>\$12,698.00</u>
	<i>Total 200 Series Increases</i>	\$12,698.00
	Total of All Fund Decreases:	\$12,698.00
	Total of All Fund Increases:	\$12,698.00

DULY RESOLVED and ADOPTED this 29th Day of December 2009 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Dan Vassar, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

9. **Authorization and approval for the Town Clerk-Treasurer to make a selection from the three respondents to the recently solicited Request for Proposals (RFP) for Re-codification Services for the Town of Highland,** and to allow him to execute agreement provided the cost does not exceed \$18,000, encumber available moneys and to report back for ratification by the Town Council.

Councilor Herak moved to authorize and approve the Town Clerk-Treasurer to make a selection from the three respondents to the recently solicited Request for Proposals (RFP) for Re-codification Services for the Town of Highland, and to allow him to execute agreement provided the cost does not exceed \$18,000, encumber available moneys and to report back for ratification by the Town Council. Councilor Novak seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The authorization was granted.

10. Authorization and approval of Commercial, General Liability, Property and other lines insurance policies to be underwritten by Traveler's Insurance, for the term of January 1, 2010 through to January 1, 2011, with Brown Insurance Group as the agent, for the following lines:

Commercial Property Insurance
Commercial Inland Marine Insurance
General Liability Insurance
General Auto Liability Insurance
Auto physical damage Insurance
Law Enforcement Liability Insurance
Public Officials' Liability Insurance
Commercial Excess Liability Insurance
Municipal Terrorism Insurance

Total of all including Commission: \$224,418 annual premium

Councilor Kuiper moved to approve the Traveler's Insurance Underwritten program as recommended by Brown Insurance Group, and naming Tom Brown as agent of record. Councilor Zemen seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The Insurance line was approved.

11. Action to approve overtime payments for Exempt Salaried Personnel, pursuant to Section 3 of Ordinance No. 1375 the Wage and Salary Ordinance, as amended and Section §4.03.01 of the Compensation and Benefits Ordinance. This waives the provisions of Section § 2.01 of the Compensation and Benefits Ordinance.
 - A. *The Public Works Director requests favorable action for K. Huzzie, who is an exempt salaried worker, supervising the Streets and Sanitation (Solid Waste) Division, in the amount of \$241.50.*
 - B. *The Public Works Director requests favorable action for M. Pipta, who is an exempt salaried worker, supervising the Facilities Division in the amount of \$241.50.*

Councilor Zemen moved to approve the over time pay as requested for Kevin Huzzie and for Mike Pipta. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The overtime for the exempt workers was approved.

12. Action to approve purchase of up to one-week of vacation time in lieu of time off, pursuant to Section §5.02.09 of the Compensation and Benefits Ordinance.
 - A. *The Metropolitan Police Chief requests authorization to buy back one full week of vacation from himself in the amount of \$1,360.77.*
 - B. *The Metropolitan Police Chief requests authorization to buy back one full week of vacation from P.Vassar in the amount of \$1,179.95.*
 - C. *The Metropolitan Police Chief requests authorization to buy back one full week of vacation from R.Potesta in the amount of \$1,176.75.*
 - D. *The Metropolitan Police Chief requests authorization to buy back one full week of vacation from G.Palmer in the amount of \$1,030.80.*
 - E. *The Metropolitan Police Chief requests authorization to buy back one full week of vacation from C.Reno in the amount of \$601.20.*
 - F. *The Metropolitan Police Chief requests authorization to buy back three days of vacation from J.Munoz in the amount of \$612.27.*
 - G. *The Public Works Director requests authorization to buy back one full week of vacation from himself in the amount of \$1,384.67.*

Councilor Kuiper moved to approve the vacation purchase in lieu of time off as requested for the officers and workers named above. Councilor Zemen seconded. Upon a roll call vote, there were four affirmatives, no negatives and one abstention. With Councilors Zemen, Herak, Novak and Kuiper voting in the affirmative and Councilor Vassar abstaining, the motion passed. The vacation purchase in lieu of time off was approved.

The Town Council President indicated that he abstained in the interest of avoiding the appearance of a conflict of interest as one of the vacation purchases involved his brother.

13. Action to approve payment for compensatory time for (Exempt) Salaried Personnel, pursuant to Section §4.03.01 of the Compensation and Benefits Ordinance. This waives the provisions of Section § 2.01 of the Compensation and Benefits Ordinance.
 - A. *The Metropolitan Police Chief requests favorable action for J.Munoz, who is a salaried worker, in the amount of \$403.36.*
 - B. *The Metropolitan Police Chief requests favorable action for M.Grasch, who is a salaried worker, in the amount of \$593.76.*
 - C. *The Metropolitan Police Chief requests favorable action for D.Matusik, who is a salaried worker, in the amount of \$493.60.*

Councilor Kuiper moved to approve the payment of compensation time as requested for the officers and workers named above. Councilor Zemen seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The compensation time payment was approved.

14. **Resolution No. 2009-66:** A Resolution Regarding the Disposition of Appropriated Resources in the Building and Inspection Department, Authorizing its transfer to the Unsafe Building Fund, pursuant to I.C. 36-7-9 et seq.

Councilor Novak moved the passage and adoption of Resolution No. 2009-66. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The resolution was adopted

**TOWN COUNCIL of the TOWN of HIGHLAND
Resolution No. 2009-66**

A RESOLUTION REGARDING THE DISPOSITION OF APPROPRIATED RESOURCES IN THE BUILDING AND INSPECTION DEPARTMENT, AUTHORIZING ITS TRANSFER TO THE UNSAFE BUILDING FUND, PURSUANT TO I.C. 36-7-9 ET SEQ.

WHEREAS, The Town of Highland by proper legislative action, has established an unsafe building fund, pursuant to IC 36-7-9-14, codified as Section § 210.116 of the Highland Municipal Code;

WHEREAS, Indiana Code 36-7-9-14 (b) provides that money for the unsafe building fund may be received from any source, including appropriations by local, state and federal governments and donations;

WHEREAS, It has been determined that certain exigent conditions have developed since adoption of the annual budget and it is now necessary to transfer certain appropriations into different categories than were appropriated in the annual budget for the various functions of the **Advisory Board of Zoning Appeals Department and the Plan Commission Department of the Corporation General Fund, all pursuant to IC 6-1.1-18-6.**

WHEREAS, The Town Council did identify appropriations that may be transferred to the Unsafe Building Fund in the budgets of the Advisory Board of Zoning Appeals Department and the Plan Commission Department of the Corporation General Fund;

WHEREAS, The Building Commissioner as zoning administrator and responsible officer for the enforcement of the unsafe building law, has requested and recommended the identified amounts be transferred to the unsafe building fund;

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Highland, Lake County, Indiana as follows:

Section 1. That for the expenses of said municipality, the following appropriations are hereby transferred and set apart out of the funds hereinafter named for the purposes herein specified, subject to the laws governing the same, such sums herein transferred unless otherwise stipulated by law;

Section 2. That it has been shown that certain existing appropriations of the Advisory Board of Zoning Appeals Department of the Corporation General Fund have unobligated balances which will not be needed at this time for the purposes for which appropriated, so it will not be necessary to increase the 2009 budget, and may be transferred to a category of appropriation in order to satisfy an existing need, as follows:

CORPORATION GENERAL FUND

ADVISORY BOARD OF ZONING APPEALS DEPARTMENT

Reduce Accounts: #310.01 Legal Fees	<u>\$ 5,000.00</u>
<i>Total Reductions</i>	\$ 5,000.00
Increase Account: #310.05 Unsafe Building Demolition (Trans)	<u>\$ 5,000.00</u>
<i>Total Series increases</i>	\$ 5,000.00

Section 3. That it has been shown that certain existing appropriations of the Plan Commission Department of the Corporation General Fund have unobligated balances which will not be needed at this time for the purposes for which appropriated, so it will not be necessary to increase the 2009 budget, and may be transferred to a category of appropriation in order to satisfy an existing need, as follows:

CORPORATION GENERAL FUND

PLAN COMMISSION DEPARTMENT

Reduce Accounts: #310.01 Legal Fees	\$ 7,000.00
#310.02 Engineering Fees	<u>\$ 3,500.00</u>
<i>Total Reductions</i>	\$ 10,500.00
Increase Account: #310.05 Unsafe Building Demolition (Trans):	<u>\$ 10,500.00</u>
<i>Total Series increases</i>	\$ 10,500.00

Section 4. That the Town Council now has determined that there is a need at this time to provide money for the **Unsafe Building Fund**, pursuant to IC 36-7-9-14 (b) and that an appropriation in the amount of \$5,000.00 has been identified in the Advisory Board of Zoning Appeals Department of the Corporation Fund, and an appropriation in the amount of \$10,500.00 has been identified in the Plan Commission Department of the Corporation Fund for a total amount of \$15,500.00;

Section 5. That the Clerk-Treasurer be and is hereby directed to transfer the amount of \$5,000.00 from the Account 310.05 of the Advisory Board of Zoning Appeals Department of the Corporation General Fund to the Unsafe Building Fund, where the proceeds of the transfer shall be receipted as cash on deposit to the credit of that fund.

Section 6. That the Clerk-Treasurer be and is hereby further directed to transfer the amount of \$10,500.00 from the Account 310.05 of the Plan Commission Department of the Corporation General Fund to the Unsafe Building Fund, where the proceeds of the transfer shall be receipted as cash on deposit to the credit of that fund.

Section 7. That any balance remaining at the end of a fiscal year shall be carried over in the Unsafe Building Fund for the following year and does not revert to the general fund, pursuant to Section § 210.116 of the Municipal Code and IC 36-7-9-14(a).

Section 8. That money on deposit to the credit of the fund shall be expended, according to the purposes set forth in IC 36-7-9-14(c) upon proper appropriation, pursuant to IC 36-7-9-14(d), IC 36-5-4-2.

Section 9. That the Clerk-Treasurer as the disbursing and fiscal officer of the Municipality, is hereby instructed, authorized and directed to transfer the amount, as identified, to the Unsafe Building Fund.

DULY RESOLVED and ADOPTED this 29th Day of December 2009 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Dan Vassar, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

**Comments from the Town Council Members
(For the Good of the Order)**

- **Councilor Bernie Zemen:** • *Redevelopment Commission Liaison* • *Plan Commission member* • *Lake County Solid Waste Management District Board of Directors* • *President's designee to Select Centennial Commission.*

Councilor Zemen offered holiday greetings to all and reminded that there were fireworks scheduled for greeting New Years after Midnight on December 31 – January 1 at Main Square.

- **Councilor Mark Herak:** • *Advisory Board of Zoning Appeals, Liaison* • *Board of Waterworks Directors, Liaison* • *Community Events Commission, Liaison.*

Councilor Herak wished all a Happy New Year.

Councilor Herak engaged in a colloquy with the Clerk-Treasurer and other members of the Town Council regarding the insurance program of the municipality.

- **Councilor Brian Novak:** • *Town Board of Metropolitan Police Commissioners, Liaison* • *Traffic Safety Commission Member* • *Chamber of Commerce Co-Liaison.*

Councilor Novak wished all a Happy New Year.

- **Councilor Konnie Kuiper:** • *Fire Department Liaison* • *Parks and Recreation board, Liaison* • *Chamber of Commerce Co-Liaison.*

Councilor Kuiper acknowledged the Fire Chief who reported on an that took place recently regarding a possible snowmobile and rider being lost in a break in the ice. It was later discovered to be a false alarm.

- **Councilor Dan Vassar:** • *Town Executive* • *Police Pension Board of Trustees Chair* • *Budget Committee Chair* • *Board of Sanitary Commissioners.*

The Town Council President wished all a Happy New Year and commended all who assisted him as he served as the 57th Town Council President.

Comments from the Public or Visitors.

There were no comments.

Payment of Accounts Payable Vouchers. There being no further business, Councilor Kuiper moved to allow the accounts payable vouchers as filed on the pending pay docket, covering the period of December 15, 2009 through December 29, 2009. Councilor Novak seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion was passed. The accounts payable vouchers were allowed and the Clerk-Treasurer was authorized to make payment.

General Fund, \$252,338.98; Motor Vehicle Highway (MVH) Fund, \$24,572.04; Local Road and Street (LR & S) Fund, \$7,730.82; VIPS/Park Public Safety Fund, \$2,630.00; Law Enforcement Continuing Education Fund, \$650.37; FSA Agency Fund, \$2,732.55; Information and Communications Technology Fund, \$7,934.38; Solid Waste District Grant Fund, \$250.00; Civil Donation Fund, \$14.49; Special Events Non Reverting Fund, \$762.00; Special Centennial Fund, \$750.00; Police Pension Fund, \$83,969.44; Municipal Cumulative Capital Development Fund, \$5,864.00; General Improvement Fund, \$2,625.00; Gaming Revenue Sharing Fund, \$138,770.64; Total: \$531,594.71.

Adjournment. Councilor Kuiper moved that the regular meeting be adjourned. Councilor Novak seconded. Upon a vote *viva voce*, the motion passed. The regular meeting of the Town Council of Tuesday, December 29, 2009 was adjourned at 7:45 p.m.

Study Session. The Twenty-Sixth Town Council of the Town of Highland, Lake County, Indiana met in a study session following the regular rescheduled meeting on Tuesday, December 29, 2009 at 7:52 in the regular place, the upper meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

Silent Roll Call: Councilors Bernie Zemen, Mark Herak, Konnie Kuiper, Brian Novak and Dan Vassar were present. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

Also Present: Ms. Ula Davitt, 2643 41st Place, Highland, Indiana.

General Substance of Matters Discussed.

1. Ms. Ula Davitt, 2643-41st Place, Highland was present for an interview in consideration for service on the Redevelopment Commission. The discussion included Ms. Davitt revealing that she was originally from Lithuania but holding Canadian citizenship. She further revealed that she works as a Montessori School Teacher, working in Flossmoor, Illinois. The discussion then included an exploration of her opinions on what would successfully attract new business and investment. Ms. Davitt opined that greater advertisement or promotion of the Town may be needed to support greater business investment. She further opined that perhaps Town officials should directly canvass for businesses.

The discussion further included her expressing the hope for more restaurants and ,more flowers or related landscaping aesthetics to enhance appeals for persons who are walking in the downtown.

Ms. Davitt departed at this time.

2. The Town Council discussed the current vacancies and the prospective candidates being considered for appointment to the various board and commissions that had terms concluding for 2010. The discussion included an exploration of whether or not there should be a greater or lesser preference for incumbents seeking reappointment if the incumbent had served for a protracted period. The discussion focused on the tenure of certain appointees. The discussion included the issue for some Councilors who opined that certain boards and commissions required greater changes than others in order to affect a positive degree of oversight of the departments over which the particular boards or commissions have charge.

The discussion included a review of the various persons who responded to the call for interested residents who were interviewed for consideration for appointment to boards and commissions. Some councilors "ranked" candidates for their desirability for appointment to certain boards and commissions. The discussion included the overall issue of municipal redevelopment and the Redevelopment Commission.

There being no further business to consider, the Study Session following the regular business meeting of the Highland Town Council of **Tuesday, December 29, 2009** was adjourned at 8:50 p.m.

Michael W. Griffin, IAMC/MMC/CPFA
Clerk-Treasurer